

Docket No.: SC66U-US Customer No. 60723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Ralph R. Binetti, et al.

Serial No.

10/738,413

Group Art Unit: 1635

Filed

December 17, 2003

Examiner: Bowman, Amy Hudson

For

si-RNA-MEDIATED GENE SILENCING TECHNOLOGY TO INHIBIT

TYROSINASE AND REDUCE PIGMENTATION

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is:

- 1. Regular Mail Certificate Letter (1 page + duplicate);
- 2. Fee Transmittal (1 page);
- 3. Credit Card Payment Form (1 page);
- 4. Information Disclosure Statement by Applicant Form PTO/SB/08A (1 page) and PTO/SB/08B (3 pages) and copy of references and
- 5. Return postcard.

Please charge any additional fees or credits any such fees, if necessary to Deposit Account No. 50-3782 in the name of Avon Products, Inc. A duplicate copy of this sheet is attached.

Date: 10/11/06

180.00 OP

Respectfully submitted,

Joan M. McGillycuddy, Esq

Reg. No. 35,608

AVON PRODUCTS, INC.

Avon Place

Suffern, New York 10901

Tel: 845-369-2113 Fax: 845-369-2900

CERTICATE OF MAILING

I HEREBY CERTIGY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Kathy S. Abrams

10/16/2006 WASFAW1 00000064 10738413

01 FC:1806

SIGNATURE

DATE

6

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Complete if Known

Application Number 10/738 413

FEE TRANSMITTAL For FY 2006 Applicant claims small entity status. See 37 CFR 1.27 TAL AMOUNT OF PAYMENT Application Number 10/738,413 Filing Date Decembert 17, 2003 First Named Inventor Binetti, R. Examiner Name Bowman, Amy Hudson Art Unit 1635 Attorney Docket No. SC66U-US

SATENT & TEL

TOTAL AMOUNT OF PAY	MENT (\$)	180.00		Attorney Docket	No. SC	6U-US		
METHOD OF PAYMEN	METHOD OF PAYMENT (check all that apply)							
Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 50-3782 Deposit Account Name: Avon Products, Inc. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below. except for the filing fee								
under 37 CFF WARNING: Information on this information and authorization	R 1.16 and 1. s form may be on PTO-2038.	come public. Credit	card inf	ormation should no		d on this form. P		
FEE CALCULATION (A				ing or may be	subject to	a surcharge	.)	
1. BASIC FILING, SEAF	FILING F			CH FEES Small Entity		TION FEES		
Application Type	Fee (\$)	Fee (\$)	<u>Fee (\$</u>		Fee (\$)	Fee (\$)	Fees Paid (\$)	
Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		
EXCESS CLAIM FEE Fee Description Each claim over 20 (i Each independent cla Multiple dependent c	including Ro im over 3 (i laims	ncluding Reissu	·			Fee (\$) 50 200 360	Small Entity Fee (\$) 25 100 180	
Total Claims - 20 or HP =	Extra Claim	<u>s Fee (\$)</u>	_ <u>Fee</u>	Paid (\$)			ependent Claims	
HP = highest number of total Indep. Claims - 3 or HP =	Extra Claim	<u>Fee (\$)</u>	=	Paid (\$)		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u> ————	
HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof - 100 = / 50 = (round up to a whole number) x =								
4. OTHER FEE(S) Non-English Specific	cation, \$1	30 fee (no small	entity	discount)			Fees Paid (\$)	
Other (e.g., late filing	g surcharge	:IDS					\$180.00	

SUBMITTED BY			
Signature	Joan M. 2	Registration No. (Attorney/Agent) 35,608	Telephone 845-369-2113
Name (Print/Type	Joan M. McGillycuddy		Date Oct. , 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

OCT 13 2006

Sheet 11

ATA DEMAR

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/738,413			
Filing Date	December 17, 2003	•		
First Named Inventor	Binetti, R.			
Art Unit	1635			
Examiner Name	Bowman, Amy Hudson			
Attorney Docket Number	SC66U-US			

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6,514,747	02-04-2003	Woychik et al.	
		^{US-} 6,518,488	02-11-2003	Agarwal et al.	
		^{US-} 6,531,647	03-11-2003	Baulcombe et al.	·
		^{US-} 5,146,846	09-15-1992	Lee et al.	
		^{US-} 5,223,262	06-29-1993	Kim et al.	
		^{US-} 4,820,724	04-11-1989	Nimni	
		US- 4,379,454	04-12-1983	Campbell et al.	
		^{US-} 4,956,171	09-11-1990	Chang	
		US- 5,770,222	06-23-1998	Unger et al.	
		^{US-} 4,224,179	09-23-1980	Schneider	
		^{US-} 4.235,871	11-25-1980	Papahadjopoulos etal	
		^{US-} 5,847,003	12-08-1998	Ptchelintsev et al.	
		^{US-} 6,069,169	05-30-2000	Ptchelintsev et al.	
		US- 5,932,229	08-03-1999	Ptchelintsev et al.	
		US- 5,834,513	11-10-1998	Ptchelintsev et al.	
		^{US-} 6,573,050 B1	06-03-2003	Ben-David et al.	
		^{US-} 2005/0255181	11-17-2005	Lee	
		^{US-} 2006/0062865	03-23-2006	llic et al.	
		^{US-} 6,562,321 B2	05-13-2003	Ptchelintsev et al.	

		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Τ ⁶
				<u>.</u>		
• /						
,						

Examiner	Date	T
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitu	te for form 1449/PTO				Complete if Known	$\overline{}$
- Canonia				Application Number	10/738,413	
INF	ORMATIO	y dis	CLOSURE	Filing Date	December 17, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Binetti, R.	
	(Use as many si	hoote as a	occessed.	Art Unit	1635	
	(Ose as many si	iceis as ii	ecessary)	Examiner Name	Bowman, Amy Hudson	
Sheet	2	of	4	Attorney Docket Number	SC66U-US	

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No.1	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BOONANUNTANASARN et al., Specific gene silencing using samll interfering RNAs in fish embroyos, 2003, Biochemical and Biophysical Research Communications, 310, page 1089-1095.	
		CAPLEN et al., dsRNA-medicated gene silencing in clutured Drosophila cells: a tissue culture model for the anlysis of RNA interference, 2000, Gene, 252, pages 95-105.	
		ZHANG et al., Targeted Gene Silencing by Small Interfering RNA-Based Knock- Down Technology, 2004, Current Pharmaceutical Biotechnology, 5, pages 1-7.	
		HARTMANN et al., Hypopigmentary skin disorders: current treatment options and future directions, 2004, Drugs, 64(1), pages 89-107.	
		POLLARK, Andrew, Method of Turn Off Bad Genes Is Set for Tests on Human Eyes	
		VAN DE Water et al., Intravenously administered siRNA accumulates in the kidney, Am Soc for Pharm and Experimental Therapeutics, 2006.	
		XIE et al., Harnessing in vivo siRNA delivery for drug discovery and therapeutic development, 2006, Drug Discovery Today, Vol 11, No. 1/2, pages 67-73.	
		ZIMMERMANN et al.,RNAi-mediated gene silencing in non-human primates, 2006, Nature Publishing Group, Vol 4414, pages 111-114.	
		MORRIS, Therapeutic potential of siRNA-mediated transcriptional gene silencing, April 2006, Therapeutic Applications of RNAi, page 7-13.	
		GAUR, RNA interference: a potential therapeutic tool for silencing splice isoforms liked to human diseases, April 2006, Therapeutic Applications of RNAi, page 15-22.	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

a collection of information upless it contains a valid OMB control number.

Substitu	te for form 1449/PTO				Complete if Known
Cubolina	10 10 10 11 1440 170			Application Number	10/738,413
INF	ORMATION	DIS	CLOSURE	Filing Date	December 17, 2003
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Binetti, R.
	(Use as many she	ate se n	acassand	Art Unit	1635
	(Ose as many sne	013 03 11		Examiner Name	Bowman, Amy Hudson
Sheet	3	of	4	Attorney Docket Number	SC66U-US

Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	T ²
		number(s), publisher, city and/or country where published.	
		ROSSI, RNAi as a treatment for HIV-1 infection, April 2006, Therapeutic Applications fo RNAi, pages 25-29.	
		RONDINONE, Therapeutic potential of RNAi in metabolic diseases, April 2006, Therapeutic Applications fo RNAi, pages 31-36.	
		BROWN et al., Toward silencing the burden of malaria: progress and prospects for RNAi-based approaches, April 2006, Therapeutic Applications fo RNAi, pages 38-44.	
		MARQUES et al., Activation of the mammalian immune system by siRNAs, 2005, Nature Biotechnology, Vol 23, No. 11, pages 1399-1405.	
		PUSHPARAJ et al., Short interfering RNA (siRNA) as a novel therapeutic, 2006, Clinical and Experimental Pharm and Physiology ,33, p. 504-510.	
		DYKXHOORN et al., Running Interference: Prospects and Obstacles to Using Small Interfering RNAs as Small Molecule Drugs, 2006, Annu. Rev. Biomed. Eng., 8:15.1-15.26.	
		BRUMMELKAMP et al., A System for Stable Expression of Short Interfering RNAs in Mammalian Cells, 2002, Science, 296: 550-553.	
		ELBASHIR et al., Effective expression of small interfering RNA in human cells, 2001, Nature, 411: 494-498.	
		PAUL et. al., Effective expression of small interfering RNA in human cells, 2002, Nature Biotech., 20:505-508.	
		HANNON, G., RNA interference, 2002, Nature, 418: 244-251.	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Commissioner for Patents R.O. Box 1450, Alexandria, VA 22313-1450. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known		
				Application Number	10/738,413	
				Filing Date	December 17, 2003	
				First Named Inventor	Binetti, R.	
				Art Unit	1635	
	(Use as many sne	eis as n	ecessary)	Examiner Name	Bowman, Amy Hudson	
Sheet	4	of	4	Attorney Docket Number	SC66U-US	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CAPLEN, et al., Specific inhibition of gene expression by samll double-stranded RNA in invertebrate and vertebrate systems, 2001, Proc Natl Acad Sci USA, 98:9742-9747.	
		ELBASHIR, et al., Functional anataomy of siRNAsfor mediating effecient RNAi in Drosophila melanogaster embryo lysate, 2001, European Molecular Bio Org Journal, 20:6877-88.	
		JARVIS et al., siRNA-Mediated Grne Silencing in Mamalian Cells, 2002, Ambion, Inc., poster published on the world wide web at ambion.com/techlib/posters/RNAi_0302.html.	
· .		ROZEMA, D. and Lewis, D., siRna delivery technologies for mammalian systems, 2003, Targets, 2: 253-260.	
		DAVIS S.S. and Walker I.M., Multiple Emulsions as Targetable Delivery Systems, 1987, Methods in Enzymology, 149:51-64.	
		MAYHEW E. et al., High-Pressure Continuous-Flow System for Drug Entrapment in Liposomes, 1987, Methods in Enzymology, 149:64-77.	
1 12		SHAFER-KORTING M. et al., Liposome preparations: A step forward intopical drug therapy for skin disease?, 1989, J. Am. Acad. Dermatol., 21:1271-1275.	V
		FLEISCHER et al., The combination of 2% 4-hydroxyanisole (Mequinol), J. Am Acad. Dermatol. 2000, vol 42(3): 459-467.	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant,

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria; VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.